



E. I. du Pont de Nemours and Company  
Washington Works  
Mail: P.O. Box 1217  
Washington, WV 26181-1217

November 7, 2014

**CERTIFIED MAIL – 7012 3050 0000 3097 9697**  
**RETURN RECEIPT REQUESTED**

Office of Air Enforcement and Compliance  
Air Protection Division (3AP20)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103

RECEIVED  
NOV 19 2014  
Division Director (3AP00)


Re: United States v. E.I. du Pont de Nemours and Company  
LDAR Consent Decree – S.D.W.V. Docket No. 6:13-cv-27030  
Submission of LDAR Manual and Lists of Covered Equipment

Dear EPA Representative:

Pursuant to Paragraphs 39 and 40 of the Consent Decree among the United States of America, the State of West Virginia, and E.I. du Pont de Nemours and Company (“DuPont”), entered by the United States Court for the Southern District of West Virginia in Civil Action No. 6:13-cv-27030 on January 30, 2014 (the “Consent Decree”), DuPont hereby submits the semi-annual progress report for the period of March 1 through August 31, 2014, enclosed.

I certify under penalty of law that I have examined and I am familiar with the information in the enclosed document(s), including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. Sections 1001 and 1341.

Very truly yours,

  
Karl J. Boelter, Plant Manager

KJB:ces/slb

Enclosure

E. I. du Pont de Nemours and Company  
Shipping: 8480 DuPont Rd  
Washington, WV 26181

CC: Zelma Maldonado (3AP20)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103

Kathleen J. Root  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103

Jesse D. Adkins  
Division of Air Quality  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

# DuPont Washington Works LDAR CD Semi-annual Progress Report

Reporting Period: March 1 to August 30, 2014

This report contains information required by paragraph 39 of Section VI.A of the LDAR Consent Decree.

**a. A description of each requirement of this Consent Decree that was completed during the reporting period, including the date such requirement was completed:**

1. Civil Penalty Payment: Section IV, ¶8, 9, & 10.  
DuPont made payment of the listed civil penalties as required before March 1, 2014.
2. LDAR Daily Certification: Section V.A, ¶12.  
Each LDAR technician who performs monitoring or instrument calibration signs a daily certification. The first monitoring conducted after the effective date was Tuesday, March 4, 2014 and a certification was recorded. Daily certification signatures have been collected for each monitoring day since 3/4/2014.
3. LDAR Applicability Audit: Section V.B, ¶16.  
DuPont commissioned Environmental Resources Management (ERM) to perform the LDAR Applicability Audit. The audit was agreed to by email on February 17, 2014. The on-site audit commenced on June 23, 2014 and was completed on June 26, 2014.
4. LDAR Manual and Lists of Covered Equipment: Section V.B, ¶18.  
DuPont commissioned Environmental Resources Management (ERM) to support the preparation of the LDAR Manual and lists of equipment. The support program was initiated on October 16, 2012.
5. LDAR Training Program: Section V.D, ¶24-30.  
DuPont commissioned Environmental Resources Management (ERM) to support the preparation of the LDAR Training program. The support program was initiated on October 16, 2012.
6. Records Retention: Section X, ¶70.  
All records related to the LDAR consent decree or implementation of required elements for the program are retained either by the email and SharePoint electronic systems or for paper, by the initiator of the document. The records retention began on March 1, 2014, effective date Monday, March 3, 2014.

## DuPont Washington Works LDAR CD Semi-annual Progress Report

Reporting Period: March 1 to August 30, 2014

**b. A schedule showing all tasks required by this Consent Decree that DuPont intends to complete during the next reporting period, including an identification and description of any difficulties in completing such tasks that DuPont anticipates will arise in completing such tasks. Such identification shall be in addition to, and not in lieu of, any notice required by Paragraph 58 of this Consent Decree:**

1. LDAR Manual and Lists of Covered Equipment: Section V.B, paragraph 19.  
Submittal of the Manual and Lists of Covered Equipment is due on October 30, 2014.  
(Reported outside of the March/August window)  
The required documents were mailed on October 30, 2014.
2. Enhanced LDAR Program (ELP) Commencement: Section V.C, ¶21-22.  
The ELP must be implemented before October 30, 2014.  
(Reported outside of the March/August window)  
The monitoring portion of the ELP was commenced on October 6, 2014 with the monitoring of the monthly pumps and agitator.
3. LDAR Training Program: Section V.D, ¶24-30.  
All LDAR Personnel must have been trained by October 30, 2014.  
(Reported outside of the March/August window)  
Initial LDAR training commenced on September 18, 2014 and was completed on October 27, 2014, with the exception of three people who were on Leave of Absence status and consequently were not available to perform LDAR duties or to be trained. Plans are in place to complete their training before they resume LDAR duties. Plans are in place to ensure that people who transfer into LDAR Personnel roles in CD-subject areas will be trained before assignment to duties.
4. Incorporation of Requirements into Title V Permit: Section V.F, ¶37-38.  
The Title V permit update applications must be filed by 60 days after approval of the LDAR program by EPA. We anticipate prompt approval so the submittal date is probably due by February 28, 2015
5. Quarterly QA/QC ELP Review: Section V.A, ¶13-14.  
The first Quarterly QA/QC ELP Review shall evaluate the information for the first full Quarter commencing at least three (3) months after commencement of implementation of the ELP. The first full quarter after three month after commencement will be second quarter of 2015. The review will commence in July 2015. Corrective actions identified in the quarterly reviews will be tracked using a log.
6. Annual ELP Audit: Section V.C, ¶23 & Attachment B.  
DuPont shall complete the first Annual ELP Audit no later than the last day of the twenty-first (21st) Month following the Effective Date, which will be October 2015.
7. Annual ELP Audit Report: Section VI.B ¶41-42.

## DuPont Washington Works LDAR CD Semi-annual Progress Report

Reporting Period: March 1 to August 30, 2014

DuPont shall submit a written Annual ELP Audit Report no later than sixty (60) Days after each Annual ELP Audit Completion Date, as specified in Attachment B, Section II.A. We anticipate the first Annual ELP audit will be conducted in October 2015, so the report will be due in December 2015.

8. Annual Review of LDAR Training Program: Section V.D, ¶28.

DuPont must review the LDAR Training program within 30 days after submittal of the report for the first Annual ELP Audit and at least once in every 12 month afterwards. We anticipate the first Annual ELP audit will be conducted in October 2015 and that the report will be submitted in December 2015, so the first review will occur in January 2016.

9. Annual Refresher LDAR Training: Section V.D, ¶29.

All LDAR Personnel must their first annual refresher training by no later than twenty-one (21) months after the Effective Date, and once every twelve (12) months thereafter. The 2015 round of refresher LDAR training will be completed before the end of October 2015.

**c. An identification and description of any non-compliance with the requirements of Section V of this Consent Decree (Compliance Requirements):**

All programs implemented to meet the requirements of Section V of the Consent Decree were in compliance in this reporting period.

**d. An identification of any of the requirements of Section V of this Consent Decree (Compliance Requirements) that were not completed by the applicable deadline and a description of the problems encountered in complying with the identified requirement.**

All programs implemented to meet the requirements of Section V of the Consent Decree were in on schedule for completion by the respective deadlines during this reporting period.

**Items e, f, g, and h are not relevant for this issue of the Semi-annual Progress Report.**

**i. A description of any training of LDAR Personnel completed during the reporting period.**

The two Facility LDAR Coordinators attended LDAR training titled *Advanced LDAR Training* presented February 27, 2014 at the 4C Conference in Austin, TX.

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Two of four Area LDAR Coordinators attended LDAR training titled ***ISA Training Course-Audit-Proofing Your LDAR Program*** presented May 19, at the ISA Fugitive Emissions Symposium in New Orleans, LA.

(Reported outside of the March/August window)

Over 700 LDAR personnel at the DuPont Washington Works facility completed training between the period of September 18, and October 30, 2014. This total includes personnel from units that are subject to State-Only LDAR requirements.

Three employees of the CB&I contract monitoring firm completed LDAR training presented by CB&I on October 3, 2014 and also completed the Washington Works specific training on September 30, 2014.

Maintenance personnel employed by DuPont but not normally scheduled to work in LDAR Consent Decree-subject areas will complete training before being temporarily assigned to LDAR Consent Decree-subject areas. To date all but 32 have been trained and the training is ongoing. Area managers are responsible to ensure that only mechanics who have received the training perform LDAR duties in their areas.